



MOSES & SINGER LLP

Case 1:07-cv-05607-CM

THE CHRYSLER BUILDING 405 Lexington Avenue, NY, NY 10174-1299 Tel: 212.554.7800 Fax: 212.554.7700 www.mosessinger.com

Jennifer Nigro Direct: 212.554.7808 Fax: 212-554-7700 jnigro@mosessinger.com

ORIGINAL

August 3, 2007

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<u>VIA FACSIMILE</u>

Honorable William C. Conner United States District Court Southern District of New York 300 Quarropas Street Room 630 White Plains, NY 10601

> Re: Rhonda Garner d/b/a Décor Specialties, on behalf of herself and all others similarly situated v. MBF Leasing, LLC et al., (Index No. 07 CV 5607 (wcc)

Dear Judge Conner:

This firm represents Defendants in the referenced action. As noted in my letter of July 30, 2007, additional counsel may associate with us in the future, in connection with the representation of defendant, William Healy.

I write, with the consent of Plaintiffs' counsel, Krishnan Chittur, Esq. of Chittur & Associates, P.C., to follow up on a telephone conversation that I had with your law clerk, Christopher Dunn, on or about July 31st, regarding time for Defendants to answer, move or otherwise respond to the complaint dated June 12, 2007 (the "Complaint"), and regarding the scheduling of a pre-motion conference for a pre-answer motion.

Specifically, Your Honor's chambers contacted us, in response to my letter of July 30th enclosing a Stipulation extending Defendants' time to answer, move or otherwise respond to the Complaint, and suggested the following schedule, assuming the consent of all parties: a premotion conference with Your Honor on Wednesday, September 5th at 10:45 a.m., and Defendants' time to answer, move or otherwise respond to the Complaint be adjourned to Friday. September 14th. After I got off of the telephone with Mr. Dunn, however, I checked the calendar and found that Rosh Ha Shanah is September 13th - 14th. I therefore suggested to Plaintiffs' counsel that we adjourn Defendants' time to answer, move or otherwise reply to the Complaint to Thursday, September 20th, rather than the 14th,

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All parties have confirmed their consent to these dates, and accordingly, we respectfully request that this schedule be "So Ordered" by the Court.

Kospecially,

Jennifer Ni

Acknowledged and Agreed:

Chittur & Associates, P.C., Attorneys for Plaintiffs

Rv.

Cc:

Krishnan Chittur, Esq. (via facsimile) Seth R. Lesser, Esq. (via facsimile) John Heaphy, Esq. (via email) Abraham Skoff, Esq. (inter-office)

Defendants' time to answer, move or otherwise respond to Plaintiffs' Complaint is adjourned to September 20, 2007. A pre-motion conference is scheduled for September 5, 2007 at 10:45 am.

SO ORDERED.

Dated: White Plains, NY August 29, 2007

William C. Carne

WILLIAM C. CONNER, Senior U.S.D.J.